



**EXPEDITED PROCEDURE  
RESPONSE AFTER FINAL  
UNDER 37 C.F.R. §1.116  
ART UNIT: 1635**

Attorney Docket No: C1039.70048US00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

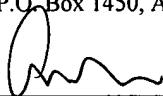
Applicant: Krieg et al.  
Serial No: 09/818,918  
Confirmation No.: 4953  
Filed: March 27, 2001  
For: IMMUNOSTIMULATORY NUCLEIC ACID MOLECULES

Examiner: Jane Zara  
Art Unit: 1635

---

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AF Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 17th day of May, 2004.

  
Alan W. Steele, M.D., Ph.D., Reg. No. 45,128

---

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated December 17, 2003, rejecting claims 1-18.

The Appeal Fee of \$330.00 as set forth in 37 C.F.R. 1.17(b) is enclosed. If the fee is insufficient, the balance may be charged to the account of the undersigned, Deposit Account No. 23/2825.

Respectfully submitted,  
Krieg et al., *Applicant*

05/20/2004 HAL111 00000052 09818918

01 FC:1401

330.00 0P

By: 

Alan W. Steele, M.D., Ph.D., Reg. No. 45,128  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2211  
Telephone: (617) 720-3500

Docket No.: C1039.70048US00  
Date: May 17, 2004  
**X05/17/04X**